

City of Fayetteville Staff Review Form

2015-0031

Legistar File ID

2/3/2015

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Jeremy Pate

1/16/2015

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

R-PZD 14-4924: Residential Planned Zoning District (SOUTH SHILOH DR./HAWKINS HOUSE AT SHILOH VILLAGE, 519): Submitted by BATES & ASSOCIATES for property located at SOUTH SHILOH DR. The property is zoned RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRE and contains approximately 10.74 acres. The request is to rezone the property to R-PZD 14-4924, Residential Planned Zoning District Hawkins House.

Budget Impact:

Account Number	Fund
Project Number	Project Title
Budgeted Item? <u>NA</u>	Current Budget \$ -
	Funds Obligated \$ -
	Current Balance \$ -
Does item have a cost? <u>No</u>	Item Cost
Budget Adjustment Attached? <u>NA</u>	Budget Adjustment
	Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____

Approval Date: _____

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF FEBRUARY 3, 2015

TO: Fayetteville City Council

THRU: Andrew Garner, Planning Director

FROM: Jesse Fulcher, Senior Planner

DATE: January 16, 2015

SUBJECT: **R-PZD 14-4924: Residential Planned Zoning District (SOUTH SHILOH DR./HAWKINS HOUSE AT SHILOH VILLAGE, 519):** Submitted by BATES & ASSOCIATES for property located at SOUTH SHILOH DR. The property is zoned RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRE and contains approximately 10.74 acres. The request is to rezone the property to R-PZD, Residential Planned Zoning District.

RECOMMENDATION:

The Planning Commission and City Planning Staff recommend approval of an ordinance to rezone the property to R-PZD, Residential Planned Zoning District.

BACKGROUND:

The subject property is zoned RMF-24 and is located approximately ½ mile north of Martin Luther King Boulevard. The Planning Commission approved a large scale development on the property (Village at Shiloh) in 2007 for the development of 198 multi-family units within 20 separate buildings. All of the interior private streets and utility lines were constructed. However, only 5 of the buildings were completed. The project expired in 2010.

Although the existing building resemble townhomes, they are actually condo units. The property surrounding the buildings is under one common ownership, while each of the 50 existing units are individually owned. These existing buildings are now on a separate lot from the remainder of the development.

In 2014, the Planning Commission approved a large scale development (LSD 14-4783 Hawkins House) for five new apartment buildings containing 46 residential units. Those buildings are currently under construction and are a part of the PZD and preliminary plat, so they can be sold as individual lots.

CITY PLAN 2030 FUTURE LAND USE PLAN: *City Plan 2030 Future Land Use Map designates a majority of this property as a City Neighborhood Area. City Neighborhood Areas are more densely developed than residential neighborhood areas and provide a varying mix of nonresidential and residential uses. This designation supports the widest spectrum of uses and encourages density in all housing types, from single family to multifamily. Non-residential uses range in size, variety and intensity from grocery stores and offices to churches, and are typically located at corners and along connecting corridors. The street network should have a high number*

of intersections creating a system of small blocks with a high level of connectivity between neighborhoods. Setbacks and landscaping are urban in form with street trees typically being located within the sidewalk zone.

City Neighborhood Areas encourage complete, compact and connected neighborhoods and are intended to serve the residents of Fayetteville, rather than a regional population. While they encourage dense development patterns, they do recognize existing conventional strip commercial developments and their potential for future redevelopment in a more efficient urban layout.

Compatibility: The project is consistent with the original large scale that was approved and developed in 2007 and with the units that are under construction. The proposed townhouse development is compatible with the surrounding land uses including offices to the south, undeveloped C-2 property to the north, the I-49 corridor to the east, and undeveloped parkland to the west.

DISCUSSION:

On January 12, 2015 the Planning Commission forwarded this item to the City Council with a recommendation for approval with a vote of 9-0-0. A preliminary plat was approved by the Planning Commission, subject to the City Council approval of the rezoning request.

BUDGET/STAFF IMPACT:

N/A

Attachments:

- CC Ordinance
- Exhibit A
- Exhibit B
- Planning Commission Staff Report
- PZD Booklet
- PZD Plats



PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Andrew Garner, Planning Director

FROM: Jesse Fulcher, Senior Planner

MEETING DATE: ~~January 12, 2015~~ Updated January 15, 2015

SUBJECT: **R-PZD 14-4924: Residential Planned Zoning District (SOUTH SHILOH DR./HAWKINS HOUSE AT SHILOH VILLAGE, 519):** Submitted by BATES & ASSOCIATES for property located at SOUTH SHILOH DR. The property is zoned RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRE and contains approximately 10.74 acres. The request is to rezone the property to R-PZD, Residential Planned Zoning District.

RECOMMENDATION:

Planning staff recommends forwarding **R-PZD 14-4924** to the City Council with a recommendation for approval. Approval of the associated preliminary plat is subject to approval of the Planned Zoning District.

BACKGROUND:

The subject property is zoned RMF-24 and is located approximately ½ mile north of Martin Luther King Boulevard. The Planning Commission approved a large scale development on the property (Village at Shiloh) in 2007 for the development of 198 multi-family units within 20 separate buildings. All of the interior private streets and utility lines were constructed. However, only 5 of the buildings were completed. The project expired in 2010.

Although the existing building resemble townhomes, they are actually condo units. The property surrounding the buildings is under one common ownership, while each of the 50 existing units are individually owned. These existing buildings are now on a separate lot from the remainder of the development.

In 2014, the Planning Commission approved a large scale development (LSD 14-4783 Hawkins House) for five new apartment buildings containing 46 residential units. Those buildings are currently under construction and are a part of the PZD and preliminary plat, so they can be sold as individual lots. Surrounding land uses are listed in *Table 1*.

**Table 1
Surrounding Land Use/Zoning**

Direction from Site	Land Use	Zoning
North	Undeveloped	C-2, Thoroughfare Commercial
South	Undeveloped & Office	C-2, Thoroughfare Commercial & RSF-4
East	Shiloh Drive & I-49	N/A
West	Undeveloped & City Park Property	P-1, Institutional

Proposal: The applicant requests a rezone from RMF-24, Residential Multi-Family 24 Units per Acre to a Residential Planned Zoning District, R-PZD. The PZD will still permit multi-family development, but the customized zoning will allow the applicant to create individual lots for townhouse units on a private street, which is not permitted in the existing zoning.

Along with this PZD the applicant has submitted a preliminary plat to create 93 lots. Five of these lots will contain the five buildings that were approved earlier this year, but not individual lots for each lot. The remaining 88 lots will be created to allow each building unit to be located on a separate townhouse lot that can be sold.

INFRASTRUCTURE:

Streets: A recently approved lot split created two large lots from the original project. Tract A contains approximately 2.68 acres and contains the original five buildings and associated private streets. This property has adequate frontage along Shiloh Drive for multi-family development and will remain zoned RMF-24. The remainder of the property will be zoned R-PZD and will have adequate private or public street frontage.

Water: Public water has already been extended through the site.

Sewer: Sanitary sewer has already been extended through the site.

Drainage: Detention facilities have already been constructed.

Fire: This property would be protected by Engine 7 located at 835 N. Ruppel Road. It is 2 miles from the station to this site with an anticipated response time of four minutes to the beginning of the development.

Police: The Police Department has not expressed any concerns with this rezoning request.

Public Comment: Staff has not received any public comment.

CITY PLAN 2030 FUTURE LAND USE PLAN: *City Plan 2030 Future Land Use Map* designates a majority of this property as a **City Neighborhood Area**.

City Neighborhood Areas are more densely developed than residential neighborhood areas and provide a varying mix of nonresidential and residential uses. This designation supports the widest spectrum of uses and encourages density in all housing types, from single family to multifamily. Non-residential uses range in size, variety and intensity from grocery stores and offices to churches, and are typically located at corners and along connecting corridors. The street network should have a high number of intersections creating a system of small blocks with a high level of connectivity between neighborhoods. Setbacks and landscaping are urban in form with street trees typically being located within the sidewalk zone.

City Neighborhood Areas encourage complete, compact and connected neighborhoods and are intended to serve the residents of Fayetteville, rather than a regional population. While they encourage dense development patterns, they do recognize existing conventional strip commercial developments and their potential for future redevelopment in a more efficient urban layout.

City Neighborhood Guiding Policies:

- a. *Protect adjoining properties from the potential adverse impacts associated with non-residential uses adjacent to and within residential areas with proper mitigation measures that address scale, massing, traffic, noise, appearance, lighting, drainage, and effects on property values.*
- b. *Provide non-residential uses that are accessible for the convenience of individuals living in residential districts and where compatibility with existing desirable development patterns occurs.*
- c. *Reduce the length and number of vehicle trips generated by residential development by enhancing the accessibility to these areas; encourage walkability as part of the street function.*

DISCUSSION:

Findings:

Recommendation: Staff recommends that **R-PZD 14-4924** be forwarded to the City Council with a recommendation for approval.

PLANNING COMMISSION ACTION:	Required	<u>YES</u>	
Date: <u>January 12, 2015</u>	<input type="checkbox"/> Tabled	<input checked="" type="checkbox"/> Forwarded	<input type="checkbox"/> Denied
Motion: <u>Chesser</u>	Second: <u>Autry</u>	Vote: 9-0-0	
CITY COUNCIL ACTION:	Required	<u>YES</u>	
Date: <u>February 3, 2015</u>	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	

Required Findings for Rezoning Request

FINDINGS OF THE STAFF

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding: Staff finds that the proposal is very consistent with land use objectives and policies and zoning plans. The property is already zoned for multi-family development and a portion of the site is already developed with multi-family development. The applicant is attempting to finish out the project similar to the existing buildings. The primary difference, and reason for the Planned Zoning District application, is to allow each unit to be split onto an individual townhouse lot that can be sold. All of the existing units are within a Horizontal Property Regime (condominium).

City Neighborhood Designation. The development of a variety of townhouse buildings is consistent with the Future Land Use designation and will allow a variety of ownership opportunities.

Compatibility Analysis. The project is consistent with the original large scale that was approved and developed in 2007 and with the units that are under construction. The proposed townhouse development is compatible with the surrounding land uses including offices to the south, undeveloped C-2 property to the north, the I-49 corridor to the east, and undeveloped parkland to the west.

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: The zoning isn't necessarily needed to build out this project, as the property is already zoned for multi-family development. However, there are benefits for future owners when financing townhouse units versus condominium units. Therefore, the zoning is justified to allow a consistent development plan across the site and favorable financing options for future owners.

3. A determination as to whether the proposed zoning would alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

Finding: The proposed zoning is very similar to the existing RMF-24 zoning, but the resulting density will be slightly less than what is currently allowed. The proposed rezoning will not undesirably increase the load on public services.

4. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:

- a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;

Finding: N/A

b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: N/A

Sec. 166.06. Planned Zoning Districts (PZD)

(B) *Purpose.* The intent of the Planned Zoning District is to permit and encourage comprehensively planned zoning and developments whose purpose is redevelopment, economic development, cultural enrichment or to provide a single-purpose or mixed-use planned development and to permit the concurrent processing of zoning and development. The City Council may consider any of the following factors in review of a Planned Zoning District application.

- (1) *Flexibility.* Providing for flexibility in the distribution of land uses, in the density of development and in other matters typically regulated in zoning districts.
- (2) *Compatibility.* Providing for compatibility with the surrounding land uses.
- (3) *Harmony.* Providing for an orderly and creative arrangement of land uses that are harmonious and beneficial to the community.
- (4) *Variety.* Providing for a variety of housing types, employment opportunities or commercial or industrial services, or any combination thereof, to achieve variety and integration of economic and redevelopment opportunities.
- (5) *No negative impact.* Does not have a negative effect upon the future development of the area;
- (6) *Coordination.* Permit coordination and planning of the land surrounding the PZD and cooperation between the city and private developers in the urbanization of new lands and in the renewal of existing deteriorating areas.
- (7) *Open space.* Provision of more usable and suitably located open space, recreation areas and other common facilities that would not otherwise be required under conventional land development regulations.
- (8) *Natural features.* Maximum enhancement and minimal disruption of existing natural features and amenities.
- (9) *Future Land Use Plan.* Comprehensive and innovative planning and design of mixed use yet harmonious developments consistent with the guiding policies of the Future Land Use Plan.
- (10) *Special Features.* Better utilization of sites characterized by special features of geographic location, topography, size or shape.
- (11) *Recognized zoning consideration.* Whether any other recognized zoning consideration would be violated in this PZD.

Findings: The proposal meets many of the criteria above. The rezoning proposal will allow the applicant to create individual lots on private streets, which is not currently permitted in the RMF-24, or any other residential zoning district. This will allow a housing type that has favorable financing options versus condominium units. The development will be very consistent with the current buildings' architecture and with the overall density of the site. Allowing the rezoning will permit an expired and incomplete development to be finished and for better maintenance of the overall property, which will be a great benefit the existing property owners. There is an existing 2.36 acre tree preservation property and 4.67 acres of parkland that are adjacent to the site. Both properties are heavily wooded and provide a natural area for residents and wildlife. The plan will be consistent with the current zoning and with the Future Land Use Map. In staff's opinion, the project meets the purpose and intent of the Planned Zoning District ordinance.

BUDGET/STAFF IMPACT:

None

Attachments:

- Fire Response Letter
- Applicant's Letter
- Building Elevations
- Current Land Use Map
- Close Up Map
- One Mile Map
- Future Land Use Map

Provided separately:

- PZD Booklet
- PZD Plats



The City of Fayetteville Fire Department
303 W. Center St. Fayetteville, AR. 72701

Phone (479) 575-8365 Fax (479) 575-0471

To: Jesse Fulcher
From: Will Beeks Assistant Fire Marshal
Date: January 6, 2015
Re: RZN 14-4924

This development will be protected by Engine 7 located at 835 Ruppel.

It is 2 miles from the station with an anticipated response time of 4 minutes to the beginning of the development.

The Fire Department anticipates 26 calls for service each year after the development is completed and maximum build-out has occurred. Typically, this type of development usually takes 12 - 18 months, after the development is started, before maximum build-out and the service impact to occur.

The Fayetteville Fire Department does not feel this development will affect our calls for service or our response times.

If you have any questions please feel free to contact me.

Captain William Beeks
Fayetteville Fire Department

Honor, Commitment, Courage;
Our people make the difference!



Bates & Associates, Inc.

Civil Engineering - Land Surveying - Landscape Architecture

91 W. Colt Square Dr. Suite 3 / Fayetteville, AR 72703
PH: 479-442-9350 * FAX: 479-521-9350

December 3, 2014

Planning Staff
City of Fayetteville
113 West Mountain
Fayetteville, AR 72701

RE: Hawkins House Planned Zoned Development and Preliminary Plat

Dear Mr. Fulcher and the Planning Staff,

Thank you for taking time to consider our application.

This requested Planned Zoned Development and Preliminary Plat will be developed off South Shiloh Drive, adjacent to I-49 in Fayetteville, Arkansas. The scope of the work will include the following townhomes within the remainder of the original Shiloh Apartments property.

The PZD and Preliminary Plat will contain:

- 6 Attached Townhomes (2)
- 8 Attached Townhomes (4)
- 4 Attached Townhomes (11)

The intent of the development is to utilize the existing infrastructure and create individual, for sale townhome lots. Investors of the development will be required to buy a 6-plex or an 8-plex. Each townhome will be built to meet our architectural standards and specification as presented to you within this application. There will be a separate set of covenants for the Townhome PZD and the previously approved Large Scale Development to the north.

Trash service will be provided through carts. Each townhome will have a 4' x 3' level concrete pad to set their trash carts on. They are grouped together for the most part.

The Units will be three-story, clad in high-quality vinyl siding, brick and stone. Energy saving windows will be used. The two-car garages will be on the ground floor, with living on the second, and bedrooms on the third. Units will share two walls with adjacent units and be separated by 2-hour firewalls. Ingress and egress to the development will be through W Redstone Drive and W Blackstone Crossing. Please see the accompanied color elevations and site plan to this application. Hawkins House at Shiloh will look similar to the project built several years ago and just next door to this site.

Please see the development plans for more detail.

If you have any questions or require additional information, please feel free to contact me at your convenience.

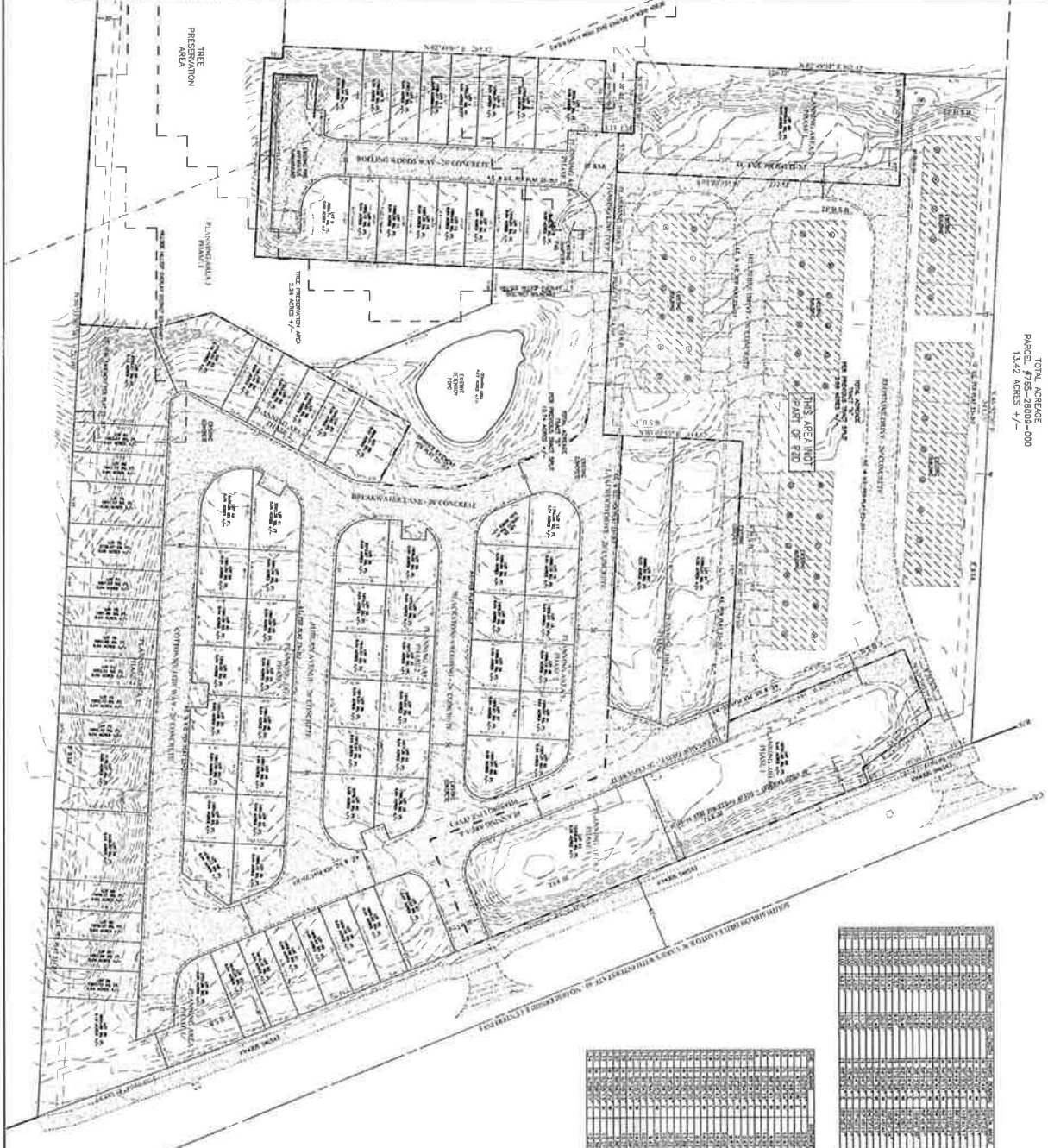
Sincerely

Bates & Associates, Inc.


Evan Niehues, PLA

**HAWKINS HOUSE
PRELIMINARY PLAT &
PZD BOOKLET**

Lot No.	Area (Acres)	Notes
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100	0.15	...



TOTAL ACRES: 0.00
 PARCEL # 75-3-0805-000
 13.42 ACRES +/-

14-070
 03

Bates & Associates, Inc.
 Civil Engineering & Surveying
 31 W. Cobb Square Dr. Fayetteville, Arkansas 72703 • 479.442.3150 • Fax 479.521.9150

SHILOH HOUSE
 PLANNED ZONING DISTRICT PLAN
 MASTER DEVELOPMENT PLAN
 PLAT PAGE 519 FAYETTEVILLE, AR

REVISION	DATE
PROT SUBMITTAL	02/05/14
REVISIONS PER 12/17/14 BOHMAN PLAT BOOK	02/12/14

ARIZONA REGISTERED PROFESSIONAL ENGINEER
 NO. 8610
 Copyright © 2014 Bates & Associates, Inc.



4 PLEX FRONT / REAR - GABLE ROOF

4 PLEX SIDE - GABLE ROOF



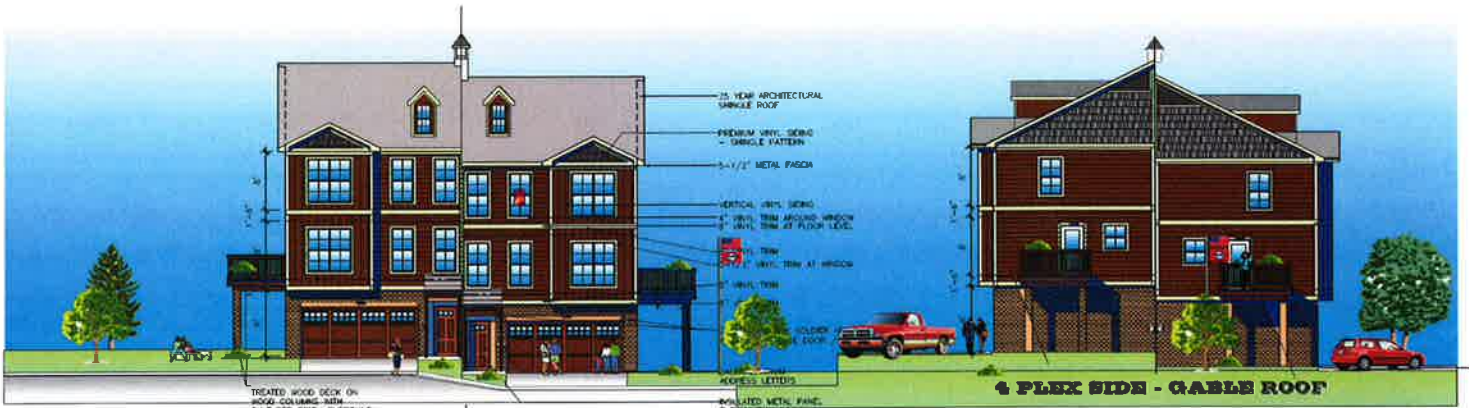
4 PLEX FRONT / REAR - HIP ROOF

4 PLEX SIDE - HIP ROOF

4 PLEX SQUARE
4 PLEX HOUSE
DESIGNED BY NORTHWEST ARCHITECTS, LLC
MEMPHIS, TENNESSEE

4 PLEX SQUARE

HDMS, INC.
 ARCHITECTURE + INTERIOR DESIGN
 1000 GUYTON, MEMPHIS, TN 38103
 901.521.1111
 WWW.HDMSINC.COM



4 PLEX FRONT / REAR - GABLE ROOF

4 PLEX SIDE - GABLE ROOF



4 PLEX FRONT / REAR - HIP ROOF

4 PLEX SIDE - HIP ROOF

Shiloh House
 FOR D&B OF NORTHWEST ARKANSAS, LLC
 FAYETTEVILLE, ARKANSAS

4 PLEX SQUARE

HDMS, INC.
 ARCHITECTURE
 & INTERIOR DESIGN
 P.O. BOX 10000
 FAYETTEVILLE, AR 72704
 501-374-5500 F. 501-374-3301



4 PLEX FRONT / REAR - GABLE ROOF

4 PLEX SIDE - GABLE ROOF



4 PLEX FRONT / REAR - HIP ROOF

4 PLEX SIDE - HIP ROOF

Shiloh House
 FOR D&B OF NORTHWEST ARKANSAS, LLC
 FAYETTEVILLE, ARKANSAS

4 PLEX SQUARE

HDMS, INC.
 ARCHITECTURE
 & INTERIOR DESIGN
 HEAR, GIBBY, JONES, CO. & SCHILLING
 ARCHITECTS
 1000 W. MAIN STREET
 FAYETTEVILLE, ARKANSAS 72701
 P. 479.786.8666 F. 479.786.1501



1 WEST ELEVATION (6 PLEX)
SCALE: 1/8" = 1'-0"



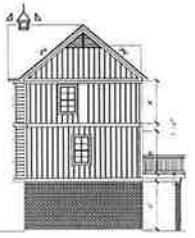
2 EAST ELEVATION (6 PLEX)
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3 SOUTH ELEVATION (6 PLEX)
SCALE: 1/8" = 1'-0"



4 BUILDING SECTION (6 PLEX)
SCALE: 1/8" = 1'-0"

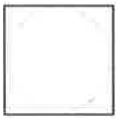


5 NORTH ELEVATION (6 PLEX)
SCALE: 1/8" = 1'-0"

6 PLEX

HDSM, INC.
 ARCHITECTURE INTERIOR DESIGN
 1008 BOONVILLE ROAD
 BOONVILLE, AR 72018
 PHONE: 501-274-8800 FAX: 501-274-8801

SHILOH HOUSE - PZD
 FOR D&B OF NORTHWEST ARKANSAS, LLC
 FAYETTEVILLE, AR 72704

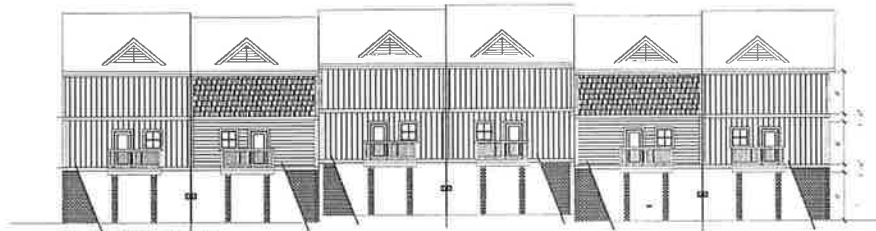


110287
 DATE
 OCTOBER 25, 2014

A-6



1 NORTH ELEVATION - (6 PLEX)



2 SOUTH ELEVATION - (6 PLEX)



3 EAST ELEVATION - (6 PLEX)



4 BUILDING SECTION - (6 PLEX)



5 WEST ELEVATION - (6 PLEX)

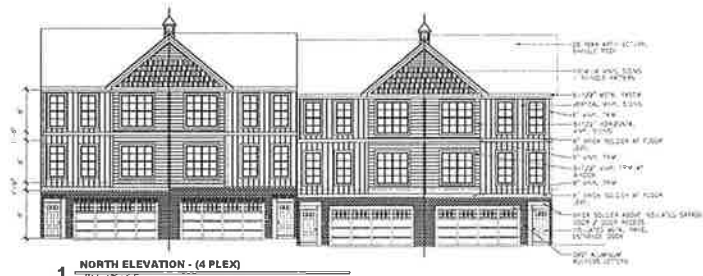
6 PLEX

HDMS, INC.
 ARCHITECTURE
 + INTERIOR DESIGN
 1008 S. DIXIE
 FAYETTEVILLE, AR 72704
 PH: 870.774.1188 FAX: 870.774.3301
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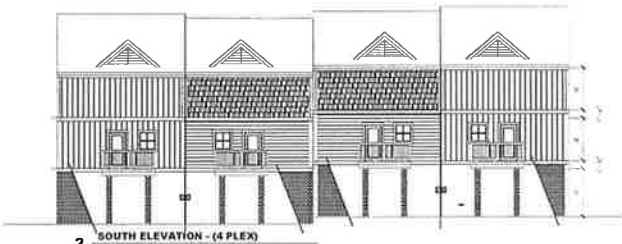
SHILOH HOUSE - PZD
 FOR O&B OF NORTHWEST ARKANSAS, LLC
 FAYETTEVILLE, AR 72704

110514
 DATE
 DECEMBER 21, 2014

A-9



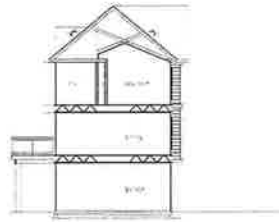
1 NORTH ELEVATION - (4 PLEX)
SCALE: 1/8" = 1'-0"



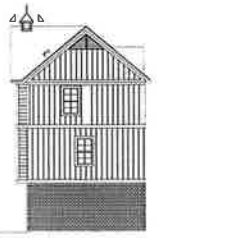
2 SOUTH ELEVATION - (4 PLEX)
SCALE: 1/8" = 1'-0"



3 EAST ELEVATION - (4 PLEX)
SCALE: 1/8" = 1'-0"



4 BUILDING SECTION - (4 PLEX)
SCALE: 1/8" = 1'-0"



5 WEST ELEVATION - (4 PLEX)
SCALE: 1/8" = 1'-0"

4 PLEX

HOMS, INC.
ARCHITECTURE
& INTERIOR DESIGN
JAMES HOMER, ARCHITECT
1000 W. STATE STREET, SUITE 100
FAYETTEVILLE, AR 72704
PH: 870-782-8300 FAX: 870-782-8401
E-MAIL: HOMES@HOMS-INC.COM WEBSITE: WWW.HOMS-INC.COM

SHILOH HOUSE - PZD
FOR O&B OF NORTHWEST ARKANSAS, LLC
FAYETTEVILLE, AR 72704

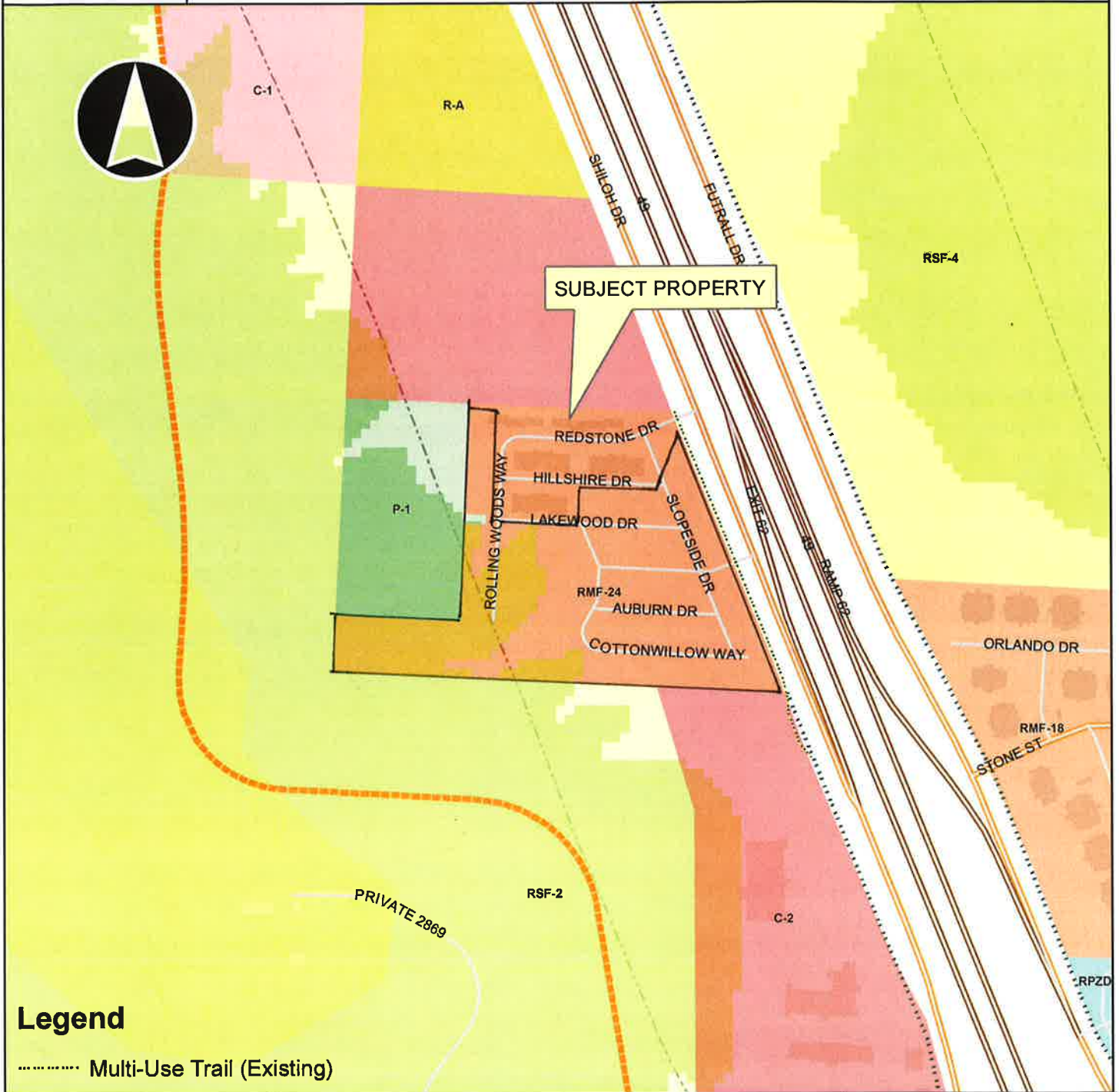


110914
DATE:
DECEMBER 23, 2014
A-10

RPZD14-4924

HAWKINS HOUSE AT SHILOH

Close Up View



Legend

----- Multi-Use Trail (Existing)

Overview Future Trails

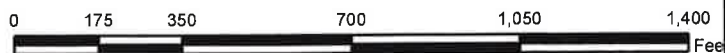
--- Fayetteville City Limits

■ Footprints 2010

■ Hillside-Hilltop Overlay District

--- Design Overlay District

--- Planning Area



RPZD14-4924

HAWKINS HOUSE AT SHILOH

Future Land Use



SUBJECT PROPERTY

Legend

- Multi-Use Trail (Existing)
- Future Trails
- Fayetteville City Limits

FUTURE LAND USE 2030

CLASS

- Natural Area
- Rural Area
- Residential Neighborhood Area
- City Neighborhood Area
- Urban Center Area

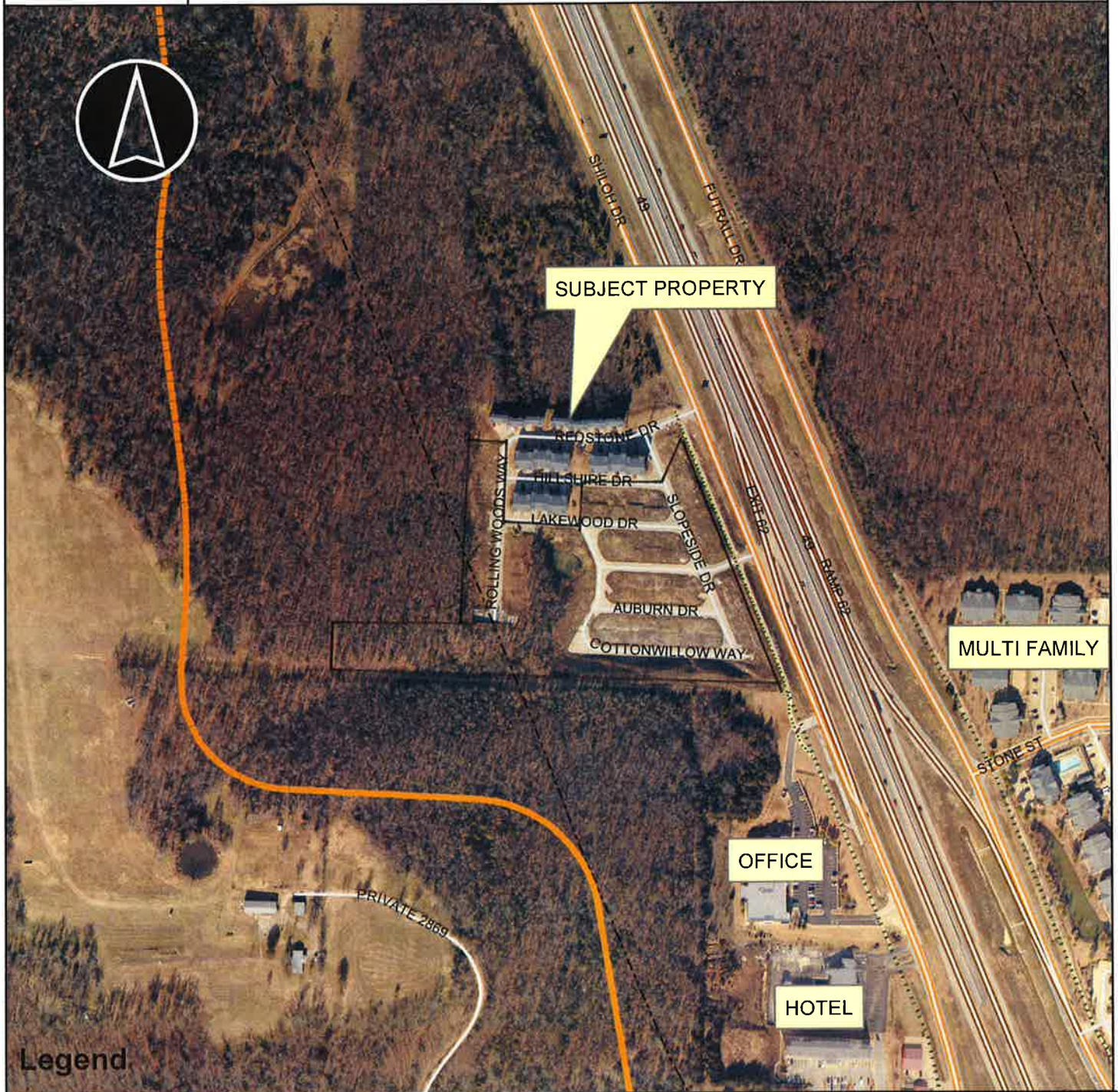
- Industrial
- Complete Neighborhood Plan
- Civic and Private Open Space/Parks
- Civic Institutional
- Non-Municipal Government
- ROW
- Design Overlay District
- Planning Area



RPZD14-4924

HAWKINS HOUSE AT SHILOH

Current Land Use



Legend

Multi-Use Trail (Existing)

Future Trails

Fayetteville City Limits

Footprints 2010

Design Overlay District

Planning Area

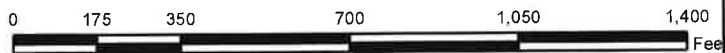
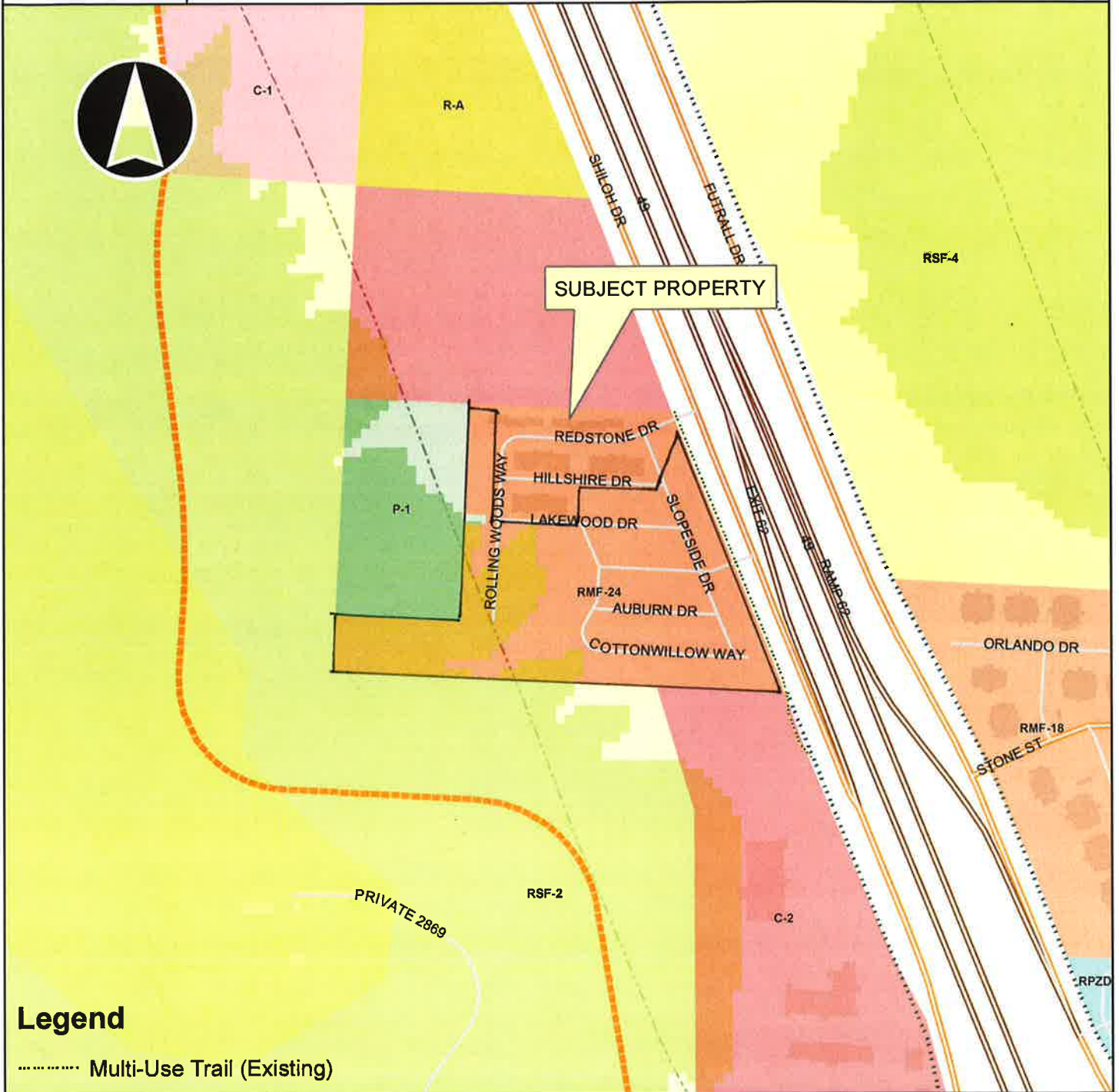


EXHIBIT 'A'

RPZD14-4924

HAWKINS HOUSE AT SHILOH

Close Up View



Legend

----- Multi-Use Trail (Existing)

Overview Future Trails

--- Fayetteville City Limits

■ Footprints 2010

■ Hillside-Hilltop Overlay District

--- Design Overlay District

--- Planning Area

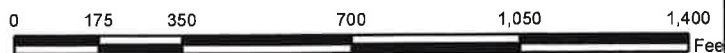


EXHIBIT 'B'

LEGAL DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 16 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING REBAR MARKING THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE ALONG THE WEST LINE THEREOF N02°48'54"E 152.46', THENCE LEAVING SAID WEST LINE S87°11'06"E 339.99', THENCE N02°48'07"E 265.42', THENCE S86°56'58"E 58.28', THENCE N03°06'07"E 25.59', THENCE N87°19'10"W 58.34', THENCE N02°48'57"E 220.72', THENCE S86°53'38"E 91.45', THENCE S03°05'53"W 232.52', THENCE S86°49'52"E 214.90', THENCE N03°05'53"E 114.57', THENCE S86°54'07"E 229.10', THENCE N21°56'20"W 155.52', THENCE N67°59'12"E 60.71', THENCE S35°21'12"E 70.12', THENCE N68°02'50"E 13.27' TO THE WEST RIGHT-OF-WAY OF SOUTH SHILOH DRIVE, THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING: S21°57'10"E 582.24', S20°19'04"E 149.84', THENCE LEAVING SAID RIGHT-OF-WAY N86°53'10"W 1223.03' TO THE POINT OF BEGINNING, CONTAINING 10.74 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

HAWKINS HOUSE

**LAND USE & ZONING PZD
FAYETTEVILLE, ARKANSAS**

December 18, 2014

Owner:

D & B of Northwest Arkansas, LLC
133 West Sunbridge Drive
Fayetteville, AR 72703

Developer:

D & B of Northwest Arkansas, LLC
133 West Sunbridge Drive
Fayetteville, AR 72703

PREPARED BY:



**Bates &
Associates, Inc.**

Civil Engineering & Surveying

91 W. Colt Square Dr. Suite 3 / Fayetteville, AR 72703
PH: 479-442-9350 * FAX: 479-521-9350

A. CURRENT OWNERSHIP OF PROPERTY AND REPRESENTATIVE

The current owner of the property is D & B of Northwest Arkansas.

The representative for this project is Bates & Associates.

B. SUMMARY (SCOPE, NATURE, AND INTENT)

Hawkins House on Shiloh is being presented as a Master Development Plan PZD. The project is located on South Shiloh Drive north of Shiloh's intersection with Martin Luther King Blvd. A portion of the property has recently been put through Fayetteville's Large Scale Development process and is under construction. Another portion has been built and is currently occupied.

The lots will vary greatly in width from 24' to 233'. Blocks of townhomes or individual townhomes may be sold. Internally, the lots will have zero side and rear setbacks and will follow all necessary building codes as such. The style and exterior appearance will be similar to the houses being built on the Shiloh Village Property. Please refer to the architectural elevations in this submittal for details.

The reason for this PZD request is so the lots can be sold separately as townhomes. This will create an additional variety of for-sale housing that has become increasingly popular in recent years. The townhomes lots will range from 1000 sf to 1600 sf.

The property was originally approved by the City of Fayetteville as condominiums, but it has become clear that it's difficult to finance a condominium purchase, whereas Townhomes are somewhat easier to finance. The difference in this request is to create clear lot lines where the properties can more easily be sold. The units and look of the property will be the same as originally approved.

C. GENERAL PROJECT CONCEPT

1) Street and Lot Layout

The overall property will face onto public Shiloh Drive. The lots themselves will face onto existing private drives, which are currently platted within access easements.

2) Site Plan

Please refer to the attached plans.

3) Buffer Areas

The homes facing Shiloh Drive will be set behind an existing 25' easement platted prior to Fayetteville's adoption for build-to-zones. The property did receive a variance from the Board of Adjustments to be outside of the build-to-zone. To the west is a large, previously dedicated parkland and tree preservation easement.

- 4) Tree Preservation
Tree Preservation has already been set aside within an existing tree preservation easement platted with the original approval of the project.
- 5) Storm Water Detention Areas
Storm water has been accounted for in an on-site, built detention pond. Please, see the drainage report for the original Village on Shiloh.
- 6) Undisturbed Natural Areas
There are 4.8 previously dedicated acres of parkland that are undisturbed. Another 2.3 acres has been set aside in a tree preservation easement.
- 7) Existing and Proposed Utility Connections and Extensions
Most of the sewer and water lines have been installed, inspected and accepted by the City of Fayetteville. There will be three or four short sewer extensions to allow service lines to each townhome lot.
- 8) Development and Architectural Design Standards
Architectural design standards will meet those set forth by the City of Fayetteville with regards to architectural detailing. Lot lines will be set up fronting access and utility easements, where drives and garages will also front. The architectural design will meet the original intent of the development.
- 9) Building Elevations
Building elevations are included as part of this submittal and will be similar to the existing buildings.

D. PROPOSED DEVELOPMENT PHASING AND TIMEFRAME

- 1) PZD Zoning & Preliminary Plat Approval..... 2014
Once PZD Zoning and Preliminary Plat are approved the Construction Plans will be submitted for review and construction will commence shortly after approval.

Phase I: This phase of the project has been approved as an LSD and is under construction. It will be completed first and the lots will be split out as shown on the preliminary plat.

Phase II: This phase will include the proposed townhomes not yet under construction. Please, see the Master Development Plan for phasing lines.

E. PROPOSED PLANNING AREAS

This PZD will have three planning areas. Two will be multi-family, and the other will have no proposed buildings or parking. It will be set aside for tree preservation and an existing detention pond.

F. PROPOSED ZONING AND DEVELOPMENT STANDARDS

Planning Area #1: Multi-family Residential - Townhomes

Purpose: The purpose of this Planning Area is to permit and encourage the development of for sale townhome style single family dwellings. This is for lots 1 through 88 (88 units on 5.91 acres), which will have a density of 14.89 units/acre.

Land Use Designation:

1. Permitted Uses

Unit 1	City-wide uses by right
Unit 26	Multi-family Dwellings

2. Conditional Uses

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 24	Home occupations
Unit 25	Professional offices

3. Density

Acreage	5.91 acres
Number of Dwelling Units	88 Units
Density	14.89 units/acre

4. Bulk and Area Regulations

	Multi-family Dwellings
Lot width minimum	20 feet (on access easements)
Lot area minimum	1,400 square feet
Land are per dwelling unit	1,400 square feet

5. Setback Requirements

Front	Side	Rear
0'	0'	0'

Height Restrictions: Structures in this planning area are limited to a building height of 60 feet.

*All lots with a 0 ft side setback. Buildings are subject to minimum building separation, fire wall ratings, etc. in accordance with building code. All dwellings shall front onto the adjacent public access easement.

6. Building Area

Area occupied by all buildings shall not exceed 50% of the total lot area. This is enforced on a lot-by-lot basis, not for the entire planning area, and does not include driveways or paving.

Site Planning

7. Screening and Landscaping

The screening and landscaping will be provided as set forth in the Unified Development Code. All lots will be required to be sodded.

8. Parking

All parking shall comply with chapter 172, for multi-family residential requirements of the Unified Development Code.

9. Architectural Design Standards

Conceptual architectural renderings have been provided along with this document. All buildings will have materials consistent with those proposed in this submittal along with a copy of these documents. The homes shall be constructed consistent with the elevations and renderings provided in.

10. Signage

Signs shall be permitted and approved and shall be installed in accordance with the Single-Family regulations of the Unified Development Code.

Planning Area #2: Multi-family Residential – Apartments

Purpose: The purpose of this Planning Area is to allow the creation of lots for the sale of whole apartment buildings on private drives. This is for lots 89 through 93 (36 units on 1.98 acres), which will have a density of 18.18 units/acre.

Land Use Designation:

1. Permitted Uses

Unit 1	City-wide uses by right
Unit 26	Multi-family Dwellings

2. Conditional Uses

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 24	Home occupations
Unit 25	Professional offices

3. Density

Acreage	1.98 acres
Number of Dwelling Units	36 Units
Density	18.18 units/acre

4. Bulk and Area Regulations

	Multi-family Dwellings
Lot width minimum	100 feet (on access easements)
Lot area minimum	13,000 square feet
Land are per dwelling unit	1,500 square feet

5. Setback Requirements

Front	Side	Rear
0'	0'	0'

Height Restrictions: Structures in this planning area are limited to a building height of 60 feet.

*All separate structures require a minimum 10' separation from structures (eave-to-eave) on both sides. Buildings are subject to minimum building separation, fire wall ratings, etc. in accordance with building code.

6. Building Area

Area occupied by all buildings shall not exceed 50% of the total lot area. This is enforced on a lot-by-lot basis, not for the entire planning area, and does not include driveways or paving.

Site Planning

7. Screening and Landscaping

The screening and landscaping will be provided as set forth in the Unified Development Code. All lots will be required to be sodded.

8. Parking

All parking shall comply with chapter 172, for multi-family residential requirements of the Unified Development Code.

9. Architectural Design Standards

Conceptual architectural renderings have been provided along with this document. All buildings will have materials consistent with those proposed in this submittal along with a copy of these documents. The homes shall be constructed consistent with the elevations and renderings provided in.

10. Signage

Signs shall be permitted and approved and shall be installed in accordance with the Single-Family regulations of the Unified Development Code.

Planning Area #3: Open/Green Spaces

Purpose: The purpose of this Planning Area is to create land designated for tree preservation, detention, and outdoor recreation.

Land Use Designation:

1. Permitted Uses

Unit 1	City-wide uses by right
--------	-------------------------

2. Conditional Uses

Unit 2	City-wide uses by conditional use permit
Unit 4	Cultural and recreational facilities

3. Density

Acreage	2.84 acres
Number of Dwelling Units	0 Units
Density	0 units/acre

4. Bulk and Area Regulations

	Open/Green Space
5. Lot width minimum	100 feet (on access easements)
6. Lot area minimum	35,000 square feet
7. Land are per dwelling unit	N/A

5. Setback Requirements

Front	Side	Rear
0'	0'	0'

Height Restrictions: Structures in this planning area are limited to a building height of 20 feet.

*All separate structures require a minimum 10' separation from structures (eave-to-eave) on both sides. Buildings are subject to minimum building separation, fire wall ratings, etc. in accordance with building code.

9. Building Area

Area occupied by all buildings shall not exceed 7.5% of the total lot area. This is enforced on a lot-by-lot basis, not for the entire planning area, and does not include driveways or paving.

Site Planning

11. Screening and Landscaping

The screening and landscaping will be provided as set forth in the Unified Development Code. All lots will be required to be sodded.

12. Parking

All parking shall comply with chapter 172, for multi-family residential requirements of the Unified Development Code.

13. Architectural Design Standards

Any architecture will comply with the Fayetteville Unified Development Code for Urban Residential Design Standards.

14. Signage

Signs shall be permitted and approved and shall be installed in accordance with the Single-Family regulations of the Unified Development Code.

G. MASTER DEVELOPMENT PLAN AS COMPARED TO CURRENT ZONING REQUIREMENTS

Existing Zoning		Proposed Zoning	
RMF-24 (Multi-family)		PZD: PA-1 (Townhomes)	
Permitted Uses			
Unit 1	City-wide uses by right	Unit 1	City-wide uses by right
Unit 8	Single family dwellings		
Unit 9	Two-family dwellings		
Unit 10	Three-family dwellings	Unit 26	Multi-family dwellings
Unit 26	Multi-family dwellings		
Conditional Uses			
Unit 2	City-wide uses by conditional use permit	Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities		
Unit 4	Cultural & recreational facilities	Unit 3	Public protection and utility facilities
Unit 5	Government facilities		
Unit 11	Manufactured home park	Unit 24	Home occupations
Unit 12	Limited businesses		
Unit 24	Home occupations	Unit 25	Professional offices
Unit 25	Professional offices		
Unit 36	Wireless communications facilities		
Density			
Units per acre	24 units per	Acreage	5.91 acres
		Dwelling Units	88 Units
		Density	14.89 units/acres
Bulk and Area Regulations			
Lot width Minimum	Three or More = 90 feet	20 feet	
Lot Area Minimum			
Townhouses: Development	4,200 square feet	1,400 square feet	
Individual townhome lot	2,500 square feet	1,400 square feet	
Three or more	9,000 square feet	N/A	
Professional offices	1 acre	1/4 Acre	
Setback Requirements			
Front	0' – 25' build-to zone	0 feet or Same as U.E.	
Side	8 feet	0 feet (See notes on 10' separation)	
Rear	20 feet	0 feet (See notes on 10' separation)	
Height Requirements			
Varies	30/45/60	Maximum building height of 60'. If a building is to be over 45 feet, it must be set back a minimum of 10' from external property lines.	
Building Area			
No building area requirement		On any lot, the area occupied by buildings shall not exceed 50%	
Buildable Street Frontage			
Minimum Buildable Street Frontage	50% of lot width	50% of lot width (access easement)	

Existing Zoning		Proposed Zoning	
RMF-24 (Multi-family)		PZD: PA-2 (Multi-family Apartments)	
Permitted Uses			
Unit 1	City-wide uses by right	Unit 1	City-wide uses by right
Unit 8	Single family dwellings		
Unit 9	Two-family dwellings	Unit 26	Multi-family dwellings
Unit 10	Three-family dwellings		
Unit 26	Multi-family dwellings		
Conditional Uses			
Unit 2	City-wide uses by conditional use permit	Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities		
Unit 4	Cultural & recreational facilities	Unit 3	Public protection and utility facilities
Unit 5	Government facilities		
Unit 11	Manufactured home park	Unit 24	Home occupations
Unit 12	Limited businesses		
Unit 24	Home occupations	Unit 25	Professional offices
Unit 25	Professional offices		
Unit 36	Wireless communications facilities		
Density			
Units per acre	24 units per	Acreage	1.98 acres
		Dwelling Units	36 Units
		Density	18.18 units/acres
Bulk and Area Regulations			
Lot width Minimum	Three or More = 90 feet	100 feet	
Lot Area Minimum			
Townhouses: Development	4,200 square feet	1,500 square feet	
Individual townhome lot	2,500 square feet	1,500 square feet	
Three or more	9,000 square feet	13,000 square feet	
Professional offices	1 acre	1 acre	
Setback Requirements			
Front	0' – 25' build-to zone	0 feet or Same as U.E.	
Side	8 feet	0 feet (See notes on 10' separation)	
Rear	20 feet	0 feet (See notes on 10' separation)	
Height Requirements			
Varies	30/45/60	Maximum building height of 60'. If a building is to be over 45 feet, it must be set back a minimum of 10' from the property line.	
Building Area			
No building area requirement		On any lot, the area occupied by buildings shall not exceed 50%	
Buildable Street Frontage			
Minimum Buildable Street Frontage	50% of lot width	50% of lot width (access easement)	

Existing Zoning		Proposed Zoning	
RMF-24 (Multi-family)		PZD: PA-3 (Open/Green Space)	
Permitted Uses			
Unit 1	City-wide uses by right	Unit 1	City-wide uses by right
Unit 8	Single family dwellings		
Unit 9	Two-family dwellings		
Unit 10	Three-family dwellings		
Unit 26	Multi-family dwellings		
Conditional Uses			
Unit 2	City-wide uses by conditional use permit	Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities		
Unit 4	Cultural & recreational facilities		
Unit 5	Government facilities		
Unit 11	Manufactured home park	Unit 4	Cultural and Recreational Facilities
Unit 12	Limited businesses		
Unit 24	Home occupations		
Unit 25	Professional offices		
Unit 36	Wireless communications facilities		
Density			
Units per acre	24 units per	Acreage	2.84 acres
		Dwelling Units	0 Units
		Density	0 units/acres
Bulk and Area Regulations			
Lot width Minimum	Three or More = 90 feet	100 feet	
Lot Area Minimum			
Townhouses: Development	4,200 square feet	N/A	
Individual townhome lot	2,500 square feet	N/A	
Three or more	9,000 square feet	N/A	
Professional offices	1 acre	N/A	
Setback Requirements			
Front	0' – 25' build-to zone	0 feet or Same as U.E.	
Side	8 feet	0 feet (See notes on 10' separation)	
Rear	20 feet	0 feet (See notes on 10' separation)	
Height Requirements			
Varies	30/45/60	Maximum structure height of 20'	
Building Area			
No building area requirement		On any lot, the area occupied by buildings shall not exceed 7.5%	
Buildable Street Frontage			
Minimum Buildable Street Frontage	50% of lot width	20%	

Analysis of the Site Characteristics

No environmentally hazardous, sensitive, or natural resource areas have been found on this site.

H. RECREATION FACILITIES

There is 4.8 acres of previously dedicated parkland to the west. Another 2.3 acres of tree preservation is set aside to the south west.

I. REASON FOR REZONING REQUEST

The reason for this Conceptual PZD request is to provide a project that will fit into the intent of the original development proposal in 2008, while still providing a successful means for selling and subdividing the property.

J. RELATIONSHIP TO THE EXISTING AND ADJACENT LAND USES

The property to the south and north is C-2, so a multi-family zoning like this would mix well and be less intensive. There is some RSF-2 single family zoning to the south and the west. This project, however, has built in buffering through the dedicated parkland and the tree preservation easement.

K. COMPLIANCE WITH CITY OF FAYETTEVILLE PLAN 2030

The future land use map on this property has been designated for residential activities. This PZD proposal will be fulfilling an original intent for this property.

Goal #1 - Appropriate infill and revitalization the highest priority

This project will finish building around already installed infrastructure. Finishing the property's building in this way will be one of the most cost effective and least intensive uses on city infrastructure for this property.

Goal #2 - Discourage suburban sprawl

There will be no additional sprawl associated with this development. Streets, paving and nearly all the utility infrastructure is in place putting no additional stress on the City's systems.

Goal #3 - Traditional town from the standard

This development will provide additional housing adjacent to a major highway where there is little ability to have cross intersections and traditional town form. There project is, however, close to the intersection of MLK Blvd. and Shiloh where there is a good deal of services and amenities within walking distance.

Goal #4 - *Grow a livable transportation network*

This development has provided a good deal of tree preservation easements and donated parkland as part of a future transportation network that includes the trail along Shiloh Drive.

Goal #5 - *Assemble and enduring green network*

The parkland and tree preservation dedicated for the City of Fayetteville and its residents here on this hilltop will add to our City's green network.

Goal #6 - *Create attainable housing*

This development will promote middle income housing for "workforce families", who significantly impact the city's growing economy.

L. TRAFFIC STUDY

We do not have a traffic study, however, this project is located along a large volume collector. An increase in density at this location will not create an appreciable or undesirable increase in traffic congestion.

M. IMPACTS ON CITY SERVICES

There are no significant impacts to city services associated with this project. Water and sewer have been primarily installed and accepted by the City of Fayetteville. Waste will be managed by both carts and dumpsters. Carts are proposed to be utilized for the townhomes, while dumpsters and used for the apartment units.

N. STATEMENT OF COMMITMENTS

1) Dedication of Public Facilities

Most of the utility infrastructure is installed and dedicated to the City of Fayetteville. The remainder will be dedicated to the City of Fayetteville and utility easements will be dedicated by a Final Plat.

2) On or Off-Site Improvements

The development of on or off-site infrastructure necessary to serve this project shall be completed prior to Final Plat submittal.

3) Natural Resources and Environmentally Sensitive Areas

There are no known natural resources or environmentally sensitive areas on this site.

4) Fire Protection

This project will be served by the Fayetteville Fire Department. The nearest fire station is on Hollywood Avenue east on Martin Luther King Blvd.

5) Other Commitments Imposed by the City

There are currently no other commitments imposed by the City.

6) Parks, trails, and Open Space Commitments

Parks, trails, open space and tree protection will be committed as previously proposed for this property.

7) Proposed Preliminary Building elevations

Conceptual architectural elevations are provided as part of this submittal.

O. DEVELOPMENT STANDARDS, CONDITIONS, AND REVIEW GUIDELINES

1) Screening and Landscaping

We will retain the existing parkland and tree preservation easements around the property. A privacy fence will be added to the west as well. The development itself shall be subject to the requirements of Chapter 177: Landscape regulations.

2) Traffic and Circulation

All traffic and circulation will comply with the City of Fayetteville standards for curb cuts, traffic and circulation. Primarily, the curb cuts and driveways are installed and the circulation therein will be maintained.

3) Parking Standards

Most parking will be provided in garages underneath the units. There will also be parking provided for guests in their driveways and additional surface parking lots.

4) Perimeter Treatment

To the west and southwest where there is single family zoning, buffers of tree preservation and parkland will keep uses transitioned. There is little perimeter treatment adjacent to C-2 zoning.

5) Sidewalks

Sidewalks will be designed and constructed along all adjacent public streets.

6) Street Lights

No additional street lights will be added

7) Water

Water lines will be designed and constructed in accordance with the City of Fayetteville Water & Sewer Specifications.

8) Sewer

Sewer lines will be designed and constructed in accordance with the City of Fayetteville Water & Sewer Specifications.

9) Streets and Drainage

No new Streets are being proposed and drainage will be handled with the existing plan for the Village on Shiloh.

10) Construction of Non-Residential Facilities

There are no non-residential areas directly serving the proposed residents.

11) Tree Preservation

Tree preservation has been dedicated as part of the original large scale development for this property.

12) Architectural Design Standards

Conceptual architectural pictures are provided as part of this submittal and will be consistent with buildings already built on the property.

13) Signage

Signage will be utilized in accordance with City of Fayetteville standards and be in accordance with RSF-4 zoning.

14) View Protection

We are not anticipating that any improvements to this property will impact views of surrounding properties.

15) Covenants, Trusts and Homeowner Associations

There is an existing property owners association for the purpose of mowing and maintaining the common landscape and paved areas.

16) Intent/Purpose of PZD ordinance:

The PZD Ordinance provides this project with the ability to create a planned development. Utilizing PZD's allows for slight modifications to traditional setbacks, lot widths, and lot area minimums. The R-PZD Ordinance is intended to accommodate mixed-use or clustered residential developments and to accommodate single-use residential developments that are determined to be more appropriate for a PZD application than a general residential zone. (City of Fayetteville Zoning Regulations CD161.23(C)). This development encourages a variety and flexibility in land development and sales, and land use for predominately residential areas is consistent with the city's General Plan and the orderly development of the city. This R-PZD will provide a framework for an effective relationship between different land uses and activities.